

CERTIFICATE OF EXPRESS MAILING

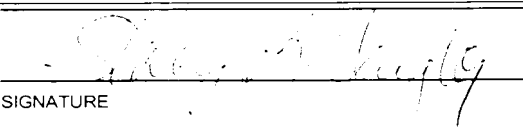
1993 Rec'd PCT/PTO 23 MAR 2001

Date of Deposit: **March 23, 2001** Express Mail Label No.: **US536647299US**
 I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Pot Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

Germaine Sarda
 Printed Name

[Signature]
 Signature

FORM PTO-1390 (Modified) (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				041673/2048	
		U.S. APPLICATION NO. (if known, see 37 CFR 1.51) Not Yet Assigned 097787964			
INTERNATIONAL APPLICATION NO. PCT/US99/22107		INTERNATIONAL FILING DATE 24 SEP 1999		PRIORITY DATE CLAIMED 25 SEP 1998	
TITLE OF INVENTION VACCINE BASED ON ATTENUATED HAEMOPHILUS SOMNUS					
APPLICANT(S) FOR DO/EO/US CORBEIL, et al.					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">1.</div> <div><input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">2.</div> <div><input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">3.</div> <div><input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">4.</div> <div><input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">5.</div> <div> <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <div style="margin-left: 20px;"> <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been transmitted by the International Bureau. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) </div> </div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">6.</div> <div><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">7.</div> <div> <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <div style="margin-left: 20px;"> <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. </div> </div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">8.</div> <div><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">9.</div> <div><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">10.</div> <div><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">11.</div> <div><input checked="" type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27.</div> </div>					
Items 12. to 17. below concern other document(s) or information included:					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">12.</div> <div><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">13.</div> <div><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">14.</div> <div> <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. </div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">15.</div> <div><input type="checkbox"/> A substitute specification.</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">16.</div> <div><input type="checkbox"/> A change of power of attorney and/or address letter.</div> </div>					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 10px;">17.</div> <div><input checked="" type="checkbox"/> Other items or information: Publication; Chapter II Demand; PCT/IPEA/402 Form; Written Opinion; IPER; and International Search Report (EPO) with References</div> </div>					

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) Not Yet Assigned 09/787964		INTERNATIONAL APPLICATION NO. PCT/US99/22107		ATTORNEY'S DOCKET NUMBER 041673/2048	
18. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO.....\$860.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$690.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$710.00					
Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$1,000.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e))					
Claims	Number Filed		Included in Basic Fee	Extra Claims	Rate
Total Claims	13	-	20	= 0	\$18.00
Independent Claims	2	-	3	= 0	\$80.00
Multiple dependent claim(s) (if applicable)					\$270.00
TOTAL OF ABOVE CALCULATIONS =				\$1130.00	
Reduction by 1/2 for filing by small entity, if applicable.				\$565.00	
SUBTOTAL =				\$565.00	
Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =				\$565.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
TOTAL FEES ENCLOSED =				\$565.00	
				Amount to be: refunded \$	
				charged \$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$565.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0872</u> in the amount of \$565.00 to the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0872</u>. A duplicate copy of this sheet is enclosed.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Foley & Lardner 402 West Broadway 23rd Floor San Diego, California 92101-3542</p>				<p> SIGNATURE</p> <p>NAME STACY L. TAYLOR</p> <p>REGISTRATION NUMBER 34,842</p>	